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Of the individual chapters that entitled "Intention and Negligence" appears to be the best. Mr. Salmond defines the former as "the foreknowledge of an act coupled with the desire of it," these being the cause of it. Negligence, he says, consists in the mental attitude of undue indifference with respect to one's conduct and its consequences. The element of desire determines to his mind the dividing line between intention and negligence. No amount of foreknowledge of or advertence to results can make an act intentional if those results were not desired. Bravely he fights for his doctrines. Willful negligence does exist, he asserts. It is indifference. Simple negligence, on the other hand, is mere inadvertence. In this he goes farther than many will follow, maintaining, for example, that damage caused by one who drives furiously through a crowd, perceiving the danger but utterly regardless of consequences, is the result of a willfully negligent but not intentional act.

In point of arrangement the book leaves little to be desired. In construction it contains many excellent novelties. Careful summaries of all the chapters give casual readers a feeling of comfortable assurance that they will not overlook anything of importance, and equally frequent lists of selected references afford students convenient opportunities for extending their knowledge upon points of peculiar interest or difficulty.

MASON ON HIGHWAYS, containing the New York Highway Law and all Constitutional and General Statutory Provisions relating to Highways; Highway Officers, their Powers and Duties, including the Good Roads Law of 1898 and 1901, as amended to the Session of 1903; with Annotations and Forms. By Herbert Delavan Mason. Albany: Banks and Company, 1902. pp. xxxi, 322. 8vo.

The scope of this little volume is well indicated by the complete title. The author has set himself the limited task of re-stating, with helpful annotations, the New York statutory and constitutional provisions concerning highways, and of preparing such forms as may be needed by all who have occasion to act under these laws.

In the first part of the work he has reprinted the New York Highway Law of 1890 as amended to 1903. Under each section there are careful annotations comprising extensive cross-references, references to the prior enactments which form the basis of the present law, numerous references to other acts such as the Town Law and the County Law, and, finally, a brief statement of the substance of all New York decisions bearing on the subject matter of the section considered. It may be suggested that the value of the work as a reference manual would perhaps have been enhanced if the somewhat heterogeneous matter embraced in these citations had been classified under appropriate headings.

In the next part of the book are found, with only occasional references or citations by the author, such provisions of the State Constitution, the County Law, and the Town Law, as relate to highways, together with a few miscellaneous enactments on the same subject.

The third part of the work should prove of considerable usefulness, especially to the many public officers acting under the highway laws. Here are gathered, under references to the statutory provisions in connection with which they are to be used, one hundred and twenty-four forms prepared by the author, — the sufficiency of many of them, as he states, having already been tested in the courts. The book is made complete by a table of cases cited, a general index, and an index to the forms.